

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Josef OTT**

Docket No: (not yet assigned)

Appl. No.: National stage of PCT/CH 2004/000700

Group Art Unit: (not yet assigned)

Confirmation No: (not yet assigned)

Examiner: (not yet assigned)

Filed: (to be filed)

For: **SEAL FOR EFFECTING A SEALING BETWEEN PARTS HAVING LIMITED
MOBILITY**

DECLARATION OF STEFAN DAY

Commissioner for Patents
Washington, C.C. 20231

Sir:

I, Stefan DAY hereby delares and states:

**THAT this declaration concerns the circumstancesunder which Mr. Josef Ott,
named inventor of PCT International Applications PCT/CH 2004/000700 was requested
and refused to sign papers necessary for regional extension.**

THAT my name is Stefan Day. I am Citizen of Switzerland and live at Forchstrasse 146 in 8032 Zurich, Switzerland. I am an Attorney-at-Law and admitted to represent parties in litigation in all courts in Switzerland, including the Swiss Federal Court, highest court in Switzerland.

In August 2005 I have been contacted by Weidmann Plastics Technology AG to help obtain from Mr. Josef Ott, a former employee of Weidmann Plastics Technology AGnecessary “Assignment of Patent Application” and “Combined Declaration and Power of Attorney” for the two Patent Application mentioned above. Mr. Ott’s home address is according to the client’s records as well as according to the telephone directory, Sonnenrainstrasse 10, 8735 St. Gallenkappel, Switzerland.

In this regard I wrote to Mr. Josef Ott a letter dated August 26, 2005 (Exhibit 2 translated in Exhibit 5) with the necessary document to be signed (Exhibits 3,4). After I had

not heard from Mr. Ott within three weeks a reminder with a full set of the documents to be signed were sent to Mr. Ott on September 20, 2005 (Exhibit 6 translated in Exhibit 8). Mr. Ott had signed a receipt for this letter to the postal services (Exhibit 7).

Since Mr. Ott did not respond in the time limit set, I was asked to contact Mr. Ott by phone, which I did on October 12, 2005. In this conversation Mr. Ott told me, that he was of the opinion that the patents belong to Weidmann Plastics Technology AG but that he did not intend to sign the necessary papers to allow the regional extension of the Patent Applications unless he would be paid an additional sum of CHF 100'000.-, specified CHF 70'000.- for the Application PCT/CH 2004/000700 and CHF 30'000.- for a further Application PCT/CH 2004/000737, which is however not pursued in the United States of America.

Signed in Zurich on May 3, 2006



Stefan Day
Stefan Day, Attorney-at-Law